

MEMO ENDORSED



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December 21, 2023

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: **12/28/2023**

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BY ECF

Hon. Nelson S. Roman
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: *Gene Moretti v. Luxury Cars of Westchester LLC, DARCARS Lexus of Mount Kisco, DARCARS of Kisco Avenue, Inc., DARCARS of Mt. Kisco, Inc., DARCARS Automotive Group, and Mariam Inc.*
Civil Action No.: 23-cv-06067- NSR

Dear Judge Roman:

We represent Luxury Cars of Westchester LLC ("Luxury Cars") in the above-referenced matter. We write, with consent of Plaintiff's counsel, to request a stay of mediation pending a decision on the Motion to Dismiss to be filed by co-defendant DARCARS on December 19, 2023, ECF 36.

Counsel for the parties believe that it will be more productive to stay the mediation until after the motion to dismiss is decided so that all parties can fully participate without the uncertainty as to the motion outcome.

Thank you for your consideration.

Sincerely,

KAUFMAN BORGEEST & RYAN LLP,
Counsel for Luxury Cars of Westchester LLC

Dianna D McCarthy

cc: Philip H. Seelig, Matthew Porcaro, Attorneys for Plaintiff

Defendant Luxury Cars's request is GRANTED. Mediation is stayed pending the Court's decision on the DARCARS Defendants' motion to dismiss. The Clerk of the Court is directed to terminate the motion at ECF No. 43.

Dated: December 28, 2023
White Plains, New York

SO ORDERED:

HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE